

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 100 EAST  
FALLS CHURCH, VA 22042-1248  
USA

(703) 205-8000

FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

CALIFORNIA OFFICES:  
COSTA MESA, CALIFORNIA  
LOS ANGELES, CALIFORNIA

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD J. GALLAGHER  
MARYANNE ARMSTRONG, PH.D.  
KECIA J. REYNOLDS  
KALPANA REDDY  
ESTHER H. CHONG  
CATHERINE M. VOISINET\*  
EUGENE T. PEREZ  
CAROLYN T. BAUMGARDNER\*  
MARTIN R. GEISSLER\*  
J. ALISON GRABELL\*  
T. BENJAMIN SCHROEDER, PH.D.  
PERCY L. SQUARE  
HYUNG N. SOHN  
CLINT A. GARDINE  
CRAIG A. McROBBIE  
WILLIAM F. NIXON\*  
DANIEL K. DORSEY  
MATTHEW T. SHANLEY

REG. PATENT AGENTS:  
FREDERICK R. HANDREN  
MAKI HATSUMI  
GARTH M. DAHLEN, PH.D.  
ROBERT E. GOOZNER, PH.D.  
KRISTI L. RUPERT, PH.D.  
SUSAN W. GORMAN, PH.D.  
ROBERT W. DOWNS  
CHAD J. BILLINGS  
CHRISTINE V. CASTILLO  
CARL T. THOMSEN  
SAM BHATTACHARYA  
BRADLEY C. FACH

09/17/03  
TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
RALPH M. MURPHY, JR.  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARC S. WEINER  
JILL MCKINNEY MUNCY  
ROBERT J. KENNEY  
CHRIS W. BAILEY  
MARC J. NUEL, PH.D.  
JAMES T. ELLER, JR.  
B. RICHARD ANDERSON  
THOMAS M. SMALL\*  
ROBERT A. SELDON\*  
JOHN A. SCILLIERI\*  
SANFORD ASTOR\*

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
BERNARD L. SWEENEY\*  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT (RET.)  
JAMES W. HELLWEGE  
QUENTIN R. "Rick" CORRIE  
ROBERT F. GNUSE  
DAVID R. MURPHY  
ROBERT M. ASHEN\*  
MICHAEL R. CAMMARATA

\*ADMITTED TO A BAR OTHER THAN VA.

Date: September 17, 2003

Docket No.: 0283-0178P

15535 U.S. PTO  
10/664165  
09/17/03

## MS PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b),  
is a Continuation-In-Part application of PCT International  
Application No. PCT/JP02/04085 filed on April 24, 2002.

Inventor(s): IMAIZUMI, Yuji; and OHWADA, Tomohiko

For: POTASSIUM CHANNEL OPENER

Enclosed are:

- ☒ A specification consisting of twenty-nine (29) pages
- ☒ Seven (7) sheet(s) of formal drawings
- ☒ An assignment of the invention
- ☐ Applicant does not claim priority

- ☒ Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). 2001-127054 and 2001-337723 filed in JAPAN on April 25, 2001 and November 2, 2001.  
☐ Certified copy(ies) is(are) attached hereto.  
☒ Certified copy(ies) will follow.
- ☒ Executed Declaration (☒ Original ☐ Photocopy)
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☐ Information Disclosure Statement, PTO-1449 with reference(s)
- ☒ Preliminary Amendment
- ☐ Priority of PCT International Application No. \_\_\_\_\_ filed is claimed under 35 U.S.C. § 120.
- ☐ Other: \_\_\_\_\_

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
	BASIC FEE		\$750.00	\$375.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	17-20=	0	x 18 = \$0.00	x 9= \$0.00
INDEPENDENT CLAIMS	2-3=	0	x 84= \$0.00	x42= \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
	TOTAL		\$1030.00	\$0.00

- ☒ A check in the amount of \$1070.00 to cover the filing fee and recording fee (if applicable) is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

☒ Please send correspondence to:


BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Raymond C. Stewart, #21,066

RCS/rwl  
0283-0178P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 07/30/03)